



Roll Call Number

21-0017

Agenda Item Number

14

Date January 11, 2021

RESOLUTION SETTING HEARING ON REQUESTS FROM FEBRUARY 30TH PROPERTIES DBA SOUTH DES MOINES VET CENTER (CONTRACT BUYERS) TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 601 ARMY POST ROAD AND 6302 SOUTHWEST 6TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 17, 2020, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from February 30th Properties dba South Des Moines Vet Center (Contract Buyers) represented by Jeremy Beyer (officer) to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 601 Army Post Road and 6302 Southwest 6th Street (“Property”) from Low Density Residential within a Community Node to Community Mixed Use within a Community Node to allow rezoning to ‘MX3’ Mixed Use District to allow the property to be developed for Animal Service, Veterinary and Boarding uses. The titleholders of the subject property are Joseph and Deborah Madonia; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on December 17, 2020, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from February 30th Properties dba South Des Moines Vet Center (Contract Buyers) represented by Jeremy Beyer (officer), to rezone the Property from ‘N3a’ Neighborhood District and ‘MX2’ Mixed Use District to ‘MX3’ Mixed Use District for the above-stated purpose subject to the following conditions:

1. Permitted uses shall be limited to those uses allowed in common with the “MX2” District, and Boarding uses as defined by the Animal Service Use Category; and
2. Accessory structures shall be limited to those permitted in the “MX2” Mixed Use District per Table 135-2.22-1; and

WHEREAS, the Property is legally described as follows:

LOTS THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) AND TWENTY (20) IN BLOCK 6 OF PORTER’S REPLAT, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed amendment to the comprehensive

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plan future land use designation and proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at 5:00 p.m. on January 25, 2021, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location.

- That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY Gatto TO ADOPT.

FORM APPROVED: Judy K. Parks-Kruse
 Judy K. Parks-Kruse (21-2020-4.29)
 Assistant City Attorney (ZON2020-00152)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED
J. M. Franklin Cownie
 Mayor

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

P. Kay Cmelik

City Clerk